

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JOAO BOCK TRANSACTION)	
SYSTEMS, LLC)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:12-cv-01138-SLR
)	
JACK HENRY & ASSOCIATES, INC.)	
)	JURY TRIAL DEMANDED
Defendant.)	

**DECLARATION OF RICHARD STITT IN SUPPORT OF
JACK HENRY & ASSOCIATES, INC.'S ANSWERING CLAIM CONSTRUCTION
BRIEF**

Dated: May 12, 2014
Wilmington, Delaware

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Attorneys for Jack Henry & Associates, Inc.

I, Richard P. Stitt, declare as follows:

1. I am an attorney duly licensed to practice law in the States of Missouri and admitted *pro hac vice* by this Court in this matter. I am an attorney with Polsinelli PC, counsel for Defendant Jack Henry & Associates, Inc. I have knowledge of the following and, if called as a witness, could and would testify competently to the contents of this declaration.

2. Attached hereto as ***Exhibit A*** is a true and correct copy of ‘003 Patent Citations Supporting Defendant’s Construction of: “Communication device associated with an individual account holder”.

3. Attached hereto as ***Exhibit B*** is a true and correct copy of ‘003 Patent Citations Supporting Defendant’s Construction of: “Containing information for authorizing or disallowing the transaction”.

4. Attached hereto as ***Exhibit C*** is a true and correct copy of ‘003 Patent Citations Supporting Defendant’s Construction of: “limitation and/or restriction”.

5. Attached hereto as ***Exhibit D*** is a true and correct copy of “Information regarding a banking transaction (Claims 30, 414)”.

6. Attached hereto as ***Exhibit E*** is a true and correct copy of the First Markman Decision dated Nov. 30, 2004 in the case Joao Bock Transaction Systems, LLC v Sleepy Hollow Bank et al., Case No. 3:03-cv-10199 (WWE).

7. Attached hereto as ***Exhibit F*** is a true and correct copy of the Second Markman Decision dated March 3, 2006 in the case Joao Bock Transaction Systems, LLC v Sleepy Hollow Bank et al., Case No. 3:03-cv-10199 (WWE).

8. Attached hereto as ***Exhibit G*** is a true and correct copy of the Amended Supplement to Second Markman Decision dated June 15, 2006 in the case Joao Bock Transaction Systems, LLC v Sleepy Hollow Bank et al., Case No. 3:03-cv-10199 (WWE).

9. Attached hereto as **Exhibit H** is a true and correct copy of the 1991 Official Prodigy Service Guide.

10. Attached hereto as **Exhibit H-1** is a true and correct copy of a June 24, 1995 article titled “Visa, Mastercard Joining Forces to make Internet Shopping Safer”.

11. Attached hereto as **Exhibit H-2** is a true and correct copy of a Feb. 13, 1995 article titled “The Internet Shopping Network Makes Valentines Day shopping easy and convenient; the nation’s most trusted floral service, FTD, offers Valentine’s Day roses and bouquets on the Internet Shopping Network”.

12. Attached hereto as **Exhibit H-3** is a true and correct copy of “Everybody’s Internet Update” from February 1995.

13. Attached hereto as **Exhibit I** is a true and correct copy of exhibits G thru L to Plaintiff’s Supplemental Memorandum Regarding Second Markman Decision, filed April 3, 2006 in the case Joao Bock Transaction Systems, LLC v Sleepy Hollow Bank et al., Case No. 3:03-cv-10199 (WWE).

14. Attached hereto as **Exhibit J** is a true and correct copy of original Claims 1 thru 20 submitted by Raymond Joao in patent application 09,949,694 September 10, 2001.

15. Attached hereto as **Exhibit K** is a true and correct copy of Raymond Joao’s rebuttal testimony given March 12, 2010 in the case Joao Bock Transaction Systems, LLC v Sleepy Hollow Bank et al., Case No. 3:03-cv-10199 (WWE).

16. Attached hereto as **Exhibit L** is a true and correct copy of the Special Verdict Form dated March 16, 2010 issued in the case Joao Bock Transaction Systems, LLC v Sleepy Hollow Bank et al., Case No. 3:03-cv-10199 (WWE).

17. Attached hereto as **Exhibit M** is a true and correct copy of the Judgment issued in Joao Bock Transaction Systems, LLC v Sleepy Hollow Bank et al., Case No. 3:03-cv-10199 (WWE), dated July 21, 2010.

18. Attached hereto as ***Exhibit N*** is a true and correct copy of excerpts from Random House Personal Computing Dictionary, 2nd Edition.

19. Attached hereto as ***Exhibit O*** is a true and correct copy of excerpts from the Manual of Patent Examining Procedure, section 2163.06.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on May 12, 2014, in Kansas City, Missouri.

/s/Richard P. Stitt

Richard P. Stitt

TABLE OF EXHIBITS

Exhibit No.	Description
A	'003 Patent Citations Supporting Defendant's Construction of: "Communication device associated with an individual account holder"
B	'003 Patent Citations Supporting Defendant's Construction of: "Containing information for authorizing or disallowing the transaction"
C	'003 Patent Citations Supporting Defendant's Construction of: "limitation and/or restriction"
D	Information regarding a banking transaction (Claims 30, 414)
E	First Markman Decision dated Nov. 30, 2004 in the case Joao Bock Transaction Systems, LLC v Sleepy Hollow Bank et al., Case No. 3:03-cv-10199 (WWE).
F	Second Markman Decision dated March 3, 2006 in the case Joao Bock Transaction Systems, LLC v Sleepy Hollow Bank et al., Case No. 3:03-cv-10199 (WWE)
G	Amended Supplement to Second Markman Decision dated June 15, 2006 in the case Joao Bock Transaction Systems, LLC v Sleepy Hollow Bank et al., Case No. 3:03-cv-10199 (WWE).
H	1991 Official Prodigy Service Guide
H-1	June 24, 1995 article titled "Visa, Mastercard Joining Forces to make Internet Shopping Safer".
H-2	Feb. 13, 1995 article titled "The Internet Shopping Network Makes Valentines Day shopping easy and convenient; the nation's most trusted floral service, FTD, offers Valentine's Day roses and bouquets on the Internet Shopping Network".
H-3	"Everybody's Internet Update" from February 1995.
I	Exhibits G thru L to Plaintiff's Supplemental Memorandum Regarding Second Markman Decision, filed April 3, 2006 in the case Joao Bock Transaction Systems, LLC v Sleepy Hollow Bank et al., Case No. 3:03-cv-10199 (WWE).
J	Original Claims 1 thru 20 submitted by Raymond Joao in patent application 09,949,694 September 10, 2001.
K	Raymond Joao's rebuttal testimony given March 12, 2010 in the case Joao Bock Transaction Systems, LLC v Sleepy Hollow Bank et al., Case No. 3:03-cv-10199 (WWE).
L	Special Verdict Form (Interrogatories), Joao Bock Transaction Systems LLC, v. Jack Henry & Associates, Inc., U.S. District Court Southern District of New

	York. (3:03-cv-10199(WWE) dated 03/16/10
M	Judgment, Joao Bock Transaction Systems LLC, v. Jack Henry & Associates, Inc., U.S. District Court Southern District of New York. (3:03-cv-10199(WWE) dated 07/21/10
N	Excerpts from Random House Personal Computing Dictionary, 2 nd Edition.
O	Excerpts from the Manual of Patent Examining Procedure, section 2163.06.

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing pleading was served upon all counsel of record via the United States District Court for the District of Delaware's ECF Document Filing System on the 12th day of May, 2014.

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